



February 8, 2008

ENGROSSED HOUSE BILL No. 1049

DIGEST OF HB 1049 (Updated February 6, 2008 2:58 pm - DI 71)

Citations Affected: IC 21-12; noncode.

Synopsis: Time limit for use of higher education grants. Removes the time limit that provides that a student is eligible to receive financial aid grants for not more than ten years from the date a student first receives a grant. Makes corresponding changes to related statutes. Repeals a section concerning a time limit for the use of financial aid awards made to part-time students. Voids a portion of a rule concerning the time limit for the use of financial aid awards. (The introduced version of this bill was prepared by the interim committee on education matters.)

Effective: July 1, 2008.

Porter, Battles, Behning, VanDenburgh

(SENATE SPONSORS — LUBBERS, SIPES, ALTING, SKINNER)

January 8, 2008, read first time and referred to Committee on Education.
January 22, 2008, reported — Do Pass.
January 24, 2008, read second time, ordered engrossed.
January 25, 2008, engrossed.
January 28, 2008, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

January 29, 2008, read first time and referred to Committee on Education and Career Development.
February 7, 2008, amended, reported favorably — Do Pass.

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EH 1049—LS 6336/DI 71+



February 8, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1049

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 21-12-3-3, AS ADDED BY P.L.2-2007, SECTION
2 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: Sec. 3. To maintain eligibility a student is not required to:

4 (1) attend an approved postsecondary educational institution; or
5 (2) receive an award;
6 in consecutive semesters or quarters. ~~However, a recipient's eligibility~~
7 ~~for an award does not extend more than ten (10) years after the date the~~
8 ~~initial award is granted.~~

9 SECTION 2. IC 21-12-3-4, AS ADDED BY P.L.2-2007, SECTION
10 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2008]: Sec. 4. A student who:

- 12 (1) participates in:
13 (A) a nursing diploma program that is accredited by the
14 Indiana state board of nursing and operated by a hospital;
15 (B) a technical certificate or associate degree program at Ivy
16 Tech Community College; or
17 (C) an associate degree program at a postsecondary proprietary

EH 1049—LS 6336/DI 71+



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educational institution that qualifies as an approved
postsecondary educational institution; and

(2) meets the requirements in sections 1 ~~and 2 and 3~~ of this
chapter for a first year higher education award except the
requirement of satisfactory progress toward a first baccalaureate
degree;

is eligible to receive a state higher education award under this chapter.
However, the student must make satisfactory progress toward obtaining
the diploma, technical certificate, or associate degree to remain eligible
for the award.

SECTION 3. IC 21-12-3-9, AS ADDED BY P.L.2-2007, SECTION
253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2008]: Sec. 9. A higher education award for a student in a program
leading to a baccalaureate degree may be renewed for a total of three
(3) academic years following the academic year of the first award or
until an earlier time as the student receives a degree normally obtained
in four (4) academic years. A higher education award for a student in
a program leading to a technical certificate or an associate degree may
be renewed for the number of academic years normally required to
obtain a certificate or degree in the student's program. The commission
may grant a renewal only upon application and only upon its finding
that:

- (1) the applicant has successfully completed the work of a
preceding year;
- (2) the applicant remains domiciled in Indiana;
- (3) the recipient's financial situation continues to warrant an
award, based on the financial requirements set forth in section
1(3) of this chapter; and
- (4) the applicant is eligible under ~~sections~~ **section 2 and 3** of this
chapter.

SECTION 4. IC 21-12-3-10, AS ADDED BY P.L.2-2007,
SECTION 253, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2008]: Sec. 10. Out of funds available after
commitments have been met under sections 8 and 9 of this chapter,
awards shall be issued to persons who have successfully completed at
least one (1) but not more than three (3) academic years in approved
postsecondary educational institutions, if they meet the eligibility
requirements of:

- (1) sections 1 ~~and 2 and 3~~ of this chapter; or
- (2) sections 4 and 5 of this chapter.

The awards shall be handled on the same basis as renewals under
section 9 of this chapter.

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1 SECTION 5. IC 21-12-8-7 IS REPEALED [EFFECTIVE JULY 1,
2 2008].

3 SECTION 6. [EFFECTIVE JULY 1, 2008] **585 IAC 1-9-4(4)(B) is**
4 **void. The publisher of the Indiana Administrative Code and**
5 **Indiana Register shall remove that provision from the Indiana**
6 **Administrative Code.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1049, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1049, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:
"SECTION 2. IC 21-12-3-4, AS ADDED BY P.L.2-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. A student who:

(1) participates in:

- (A) a nursing diploma program that is accredited by the Indiana state board of nursing and operated by a hospital;
- (B) a technical certificate or associate degree program at Ivy Tech Community College; or
- (C) an associate degree program at a postsecondary proprietary educational institution that qualifies as an approved postsecondary educational institution; and

(2) meets the requirements in sections 1 ~~and 2~~ ~~and 3~~ of this chapter for a first year higher education award except the requirement of satisfactory progress toward a first baccalaureate degree;

is eligible to receive a state higher education award under this chapter. However, the student must make satisfactory progress toward obtaining the diploma, technical certificate, or associate degree to remain eligible for the award.

SECTION 3. IC 21-12-3-9, AS ADDED BY P.L.2-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 9. A higher education award for a student in a program leading to a baccalaureate degree may be renewed for a total of three

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(3) academic years following the academic year of the first award or until an earlier time as the student receives a degree normally obtained in four (4) academic years. A higher education award for a student in a program leading to a technical certificate or an associate degree may be renewed for the number of academic years normally required to obtain a certificate or degree in the student's program. The commission may grant a renewal only upon application and only upon its finding that:

- (1) the applicant has successfully completed the work of a preceding year;
- (2) the applicant remains domiciled in Indiana;
- (3) the recipient's financial situation continues to warrant an award, based on the financial requirements set forth in section 1(3) of this chapter; and
- (4) the applicant is eligible under ~~sections~~ **section 2 and 3** of this chapter.

SECTION 4. IC 21-12-3-10, AS ADDED BY P.L.2-2007, SECTION 253, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 10. Out of funds available after commitments have been met under sections 8 and 9 of this chapter, awards shall be issued to persons who have successfully completed at least one (1) but not more than three (3) academic years in approved postsecondary educational institutions, if they meet the eligibility requirements of:

- (1) sections 1 ~~and 2 and 3~~ of this chapter; or
- (2) sections 4 and 5 of this chapter.

The awards shall be handled on the same basis as renewals under section 9 of this chapter."

Page 1, after line 10, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JULY 1, 2008] **585 IAC 1-9-4(4)(B) is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove that provision from the Indiana Administrative Code.**"

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1049 as printed January 22, 2008.)

LUBBERS, Chairperson

Committee Vote: Yeas 5, Nays 2.

EH 1049—LS 6336/DI 71+



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